

GRÜNECKER KINKELDEY STOCKMAIR & SCHWANHÄUSSER  
ANWALTS-SSOZIETÄT

**Fax: +1 612 3343312**  
**VIA FACSIMILE / AIRMAIL CONFIRMATION**

GKS & S LEOPOLDSTRASSE 4 D-80802 MÜNCHEN GERMANY

Westman, Champlin & Kelly  
900 Second Avenue South  
Suite 1400  
Minneapolis MN 55402-3244  
USA

Attn. Mr. Joseph R. Kelly

DOCKETED	KL	12/10/08
RESPONSE DUE		1/10/09
CALENDARED		1/10/09
CHECKED BY ATTY		2/11/09

IHR ZEICHEN / YOUR REF.

M61.13-1319-EPO

UNSER ZEICHEN / OUR REF.

11/9/08 } IDS EP31965UWMHtmo  
1/10/09 }

DATUM / DATE

October 23, 2008

European Patent Application No. 04 019 595.0

Title: **RESOURCE MANIFEST FOR PROVIDING LANGUAGE-NEUTRAL AND  
LANGUAGE-SPECIFIC RESOURCE LOCATION SERVICES**

Applicant: **Microsoft Corporation**

Dear Mr. Kelly,

In the case of the above-identified European Patent application, we have now received summons to attend Oral Proceedings in Rijswijk. The Oral Proceedings will take place on

**February 11, 2009.**

In preparation for the Oral Proceedings, written submissions and/or amendments, particularly auxiliary requests may be filed. However, the final date for filing is

**January 10, 2009.**

Please note that this time limit is not extendible.

RECHTSANWÄLTE  
LAWYERS  
MÜNCHEN  
DR. HELMUT EICHMANN  
GERHARD BARTH  
DR. ULRICH BLUMENRÖDER, LL.M.  
CHRISTA NIKLAS-FALTER  
DR. MAXIMILIAN KINKELDEY, LL.M.  
DR. KARSTEN BRANDT  
ANJA FRANKE, LL.M.  
UTE STEPHANI  
DR. BERND ALLEKOTTE, LL.M.  
DR. ELVIRA BERTRAM, LL.M.  
KARIN LOCHNER  
BABETT ERTLE  
CHRISTINE NEUHIERL  
SABINE FRÖCKNER  
CORNELIA SCHMITT  
PETRA LÖBBE  
SONJA SCHÄFFLER  
DR. HOLGER GAUSS  
DR. NICOLAS SCHMITZ  
MARINA SCHLUMBERGER  
KRISTEN DRÖGE  
ANTONIA BOGNAR  
ANDREAS WAGNER

PATENTANWÄLTE  
EUROPEAN PATENT ATTORNEYS  
MÜNCHEN  
DR. HERMANN KINKELDEY  
PETER H. JAKOB  
HANS HILGERS  
ANNELIE EHNOLD  
THOMAS SCHÜSTER  
DR. KLARA GOLDBACH  
MARTIN AUFENANGER  
GOTTFRIED KLITZSCH  
DR. HEIKE VOGELSANG-WENKE  
REINHARD KNAUER  
DIETMAR KUHLE  
DR. FRANZ-JOSEF ZIMMER  
BETTINA K. REICHELT  
DR. ANTON K. PFALZ  
DR. UDO WEIGELT  
RAINER BERTRAM  
JENS KOCH, M.S. (U of PA) M.S.  
BERND ROTHAEDEL  
THOMAS W. LAUBENTHAL  
DR. ANDREAS KAYSER  
DR. JENS HAMMER  
DR. THOMAS EICKELKAMP  
DR. CARLO TORTI\*

PATENTANWÄLTE  
EUROPEAN PATENT ATTORNEYS

DR. PETER MILTÉNYI  
DR. MORITZ HÖFFE  
GERO MAATZ-JANSEN  
MICHAEL HEISE  
CHRISTIAN MBISINGER  
DR. MARTIN AHR  
FELIX HERMANN  
DR. WOLFGANG NEUBECK

BERLIN  
DR. PATRICK ERK, M.S. (MIT)  
DR. SVENJA SETHMANN

KÖLN  
DR. MARTIN DROPMANN

DR. WILFRIED STOCKMAIR  
(-1996)

\*EUROPEAN PATENT ATTORNEY

GRÜNECKER KINKELDEY  
STOCKMAIR & SCHWANHÄUSSER  
LEOPOLDSTRASSE 4  
D-80802 MÜNCHEN  
GERMANY


TEL +49 89 21 23 50  
FAX +49 89 22 02 87  
FAX +49 89 21 86 92 93  
http://www.grunecker.de  
e-mail: info@grunecker.de

Deutsche Bank München  
Konto/Account: 175 1734  
BLZ/Bank code: 700 700 10  
SWIFT/BIC-code: DEUT DE MM  
IBAN: DE47 7007 0010 0175 1734 00

2

We shall now study the Official Communication and the present application and provide you with our comments on how to proceed further with this matter in due course.

Very truly yours,

  
Dr. Moritz Hoffe  
Patent Attorney

Encl. Copy of Official Communication



Europäisches  
Patentamt  
European  
Patent Office  
Office européen  
des brevets

17 preliminary report 2) V

MH

European Patent Office  
Postbus 5818  
2280 HV RIJSWIJK  
NETHERLANDS  
Tel. +31 (0)70 340-2040  
Fax +31 (0)70 340-3016



Grünecker, Kinkeldey,  
Stockmair & Schwanhäusser  
Anwaltssozietät  
Leopoldstraße 4  
80802 München  
ALLEMAGNE

GRÜNECKER, KINKELDEY, STOCKMAIR  
& SCHWANHÄUSSER  
ANWALTSSOZietät

20. Okt. 2008  
FRIST 11.2.03  
TERM 10.1.03  
EINGANG - RECEIVED

Date

10-10-2008

Reference EP31965RK900peu	Application No./Patent No. 04019595.0 - 1243 / 1530127
Applicant/Proprietor MICROSOFT CORPORATION	

#### Summons to attend oral proceedings pursuant to Rule 115(1) EPC

You are hereby summoned to attend oral proceedings arranged in connection with the above-mentioned European patent application.

The matters to be discussed are set out in the communication accompanying this summons (EPO Form 2906).

The oral proceedings, which will not be public, will take place before the Examining Division.

on 11.02.09 at 10.00 hrs, EPO Rijswijk  
Patentlaan 3-9, NL-2288 EE Rijswijk (ZH)

No changes to the date of the oral proceedings can be made, except on serious grounds (see OJ EPO 10/2000; 456).

If you do not appear as summoned, the oral proceedings may continue without you (R. 115(2) EPC). Your attention is drawn to Rule 4 EPC, regarding the language of the oral proceedings, and to the OJ EPO 9/1991, 489, concerning the filing of authorisations for company employees and lawyers acting as representatives before the EPO.

The final date for making written submissions and/or amendments (R. 116 EPC), is 10.01.09.

The actual room number will be given to you by the porter in the foyer at the above EPO address. A waiting room (S00C06) will be available (tel.: 9105, fax: 9110).

Parking is available free of charge in the underground car park (see map enclosed).

1st Examiner:  
Weidmann M

2nd Member:  
Dieben M

Chairman:  
Archontopoulos E

For the Examining Division



Annexes:  
Confirmation of receipt (Form 2936)  
Communication (EPO Form 2906)

Datum  
Date 10.10.2008  
DateBlatt  
Sheet 1  
FeuilleAnmelde-Nr.:  
Application No.: 04 019 595.0  
Demande n°:

The examination is being carried out on the following application documents:

**Description, Pages**

1, 2, 4-36	as originally filed			
3, 3a, 3b	received on	31.08.2007	with letter of	31.08.2007

**Claims, Numbers**

1-15	received on	26.05.2008	with letter of	26.05.2008
------	-------------	------------	----------------	------------

**Drawings, Figures**

1-9	as originally filed
-----	---------------------

The following documents (D2, D3, D4) are cited by the Examiner found in a further search (see Guidelines C-VI, 8.2 and 8.3). Copies of the document are annexed to the communication and the numbering will be adhered to in the rest of the procedure:

D2 US 2002/0162093 "INTERNATIONALIZATION COMPILER AND PROCESS FOR LOCALIZING SERVER APPLICATIONS" Zhou, Scholz, Murren, Arthur 31 October 2002

D3 EP 1 202 168 "System and method for dynamically verifying the compatibility of a user interface resource" MICROSOFT CORPORATION 02 February 2002

D4 "Developing International Software", 2nd Edition, Microsoft Press, 2002, Chapter 6

Datum  
Date 10.10.2008  
Date

Blatt  
Sheet  
Feuille

2

Anmelde-Nr.:  
Application No.: 04 019 595.0  
Demande n°:

## 1. General Remarks

The issues addressed by this communication need to be discussed during oral proceedings. This communication contains the points which in the opinion of the examining division need to be discussed for the purpose of the decision to be taken.

## 2. Clarity

2.1 The terms *language-neutral* and *language-specific* used in claims 1 and 6 are vague and unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claim unclear (Article 84 EPC). It appears that further specifying the *language* to be a natural language (as opposed to for example a programming language) like i.e. English or Japanese (see for example the description, p. 15, par. 0038) could clarify these claims further.

2.2 The terms *localizable resource information* used in claims 1 and 6 is vague and unclear and leaves the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear (Article 84 EPC). It appears that instead of being able to localize the resource information in the resource manifest file (which the terms suggest) the resource information rather identifies localization-dependent parts in the resource manifest file.

2.3 The terms *creating a language-neutral file ... by a build or a compilation process* used in claims 1 and 6 are vague and unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear (Article 84 EPC). It seems that the subject-matter of these claims could be further clarified by defining *the build or compilation process* in terms of required input and resulting output components.

Datum  
Date 10.10.2008  
Date

Blatt  
Sheet 3  
Feuille

Anmelde-Nr.:  
Application No.: 04 019 595.0  
Demande n°:

### 3. Inventive Step

#### 3.1 Claim 1

Furthermore, notwithstanding the above-mentioned lack of clarity, the subject-matter of claim 1 does not involve an inventive step within the meaning of Article 56 EPC, and the requirements of Article 52(1) EPC are not therefore met.

3.1.1 Document D2 is considered to be the closest prior art to the subject-matter of claim 1, and in so far as this claim can be understood, this document shows the following features thereof (the references in parentheses applying to this document):

*A method (Figure 4) for creating language-neutral (420, Figure 4) and corresponding language specific (422, Figure 4) resource files for a component (document, par. 0008), the method comprising:*

*obtaining (LOCALE-SPECIFIC WEB PAGE 404, Figure 4) a resource manifest file;*  
*creating (implicit: Figure 4) a language-neutral file (MULTINATIONAL WEB PAGE 420, Figure 4) and a language specific resource file (422, Figure 4) according to localizable resource information (408, Figure 4) contained in the resource manifest file (LOCAL-SPECIFIC WEB PAGE 404, Figure 4) by (INTERNATIONALIZATION COMPILER 402, Figure 4) a build or a compilation process;*  
~~*creating a checksum data; and*~~  
~~*updating a field in the resource manifest file with the checksum data.*~~

3.1.2 The subject-matter of claim 1 therefore differs from the method disclosed in document D2 in *creating a checksum data; and updating a field in the resource manifest file with the checksum data.*

3.1.3 The combination of these two additional features does not provide any synergistic effect. They are a mere aggregation of features and each feature is an obvious design choice for the person skilled in the art of generating localized software applications: creating checksum data for a resource manifest file and storing the created checksum data in the resource manifest file is disclosed for example in document D3, Figure 1.

3.1.4 Therefore, the subject-matter of claim 1 cannot be considered as involving an inventive step (Articles 52(1) and 56 EPC).

Datum  
Date 10.10.2008  
Date

Blatt  
Sheet 4  
Feuille

Anmelde-Nr.:  
Application No.: 04 019 595.0  
Demande n°:

### 3.2 Claims 2 - 5

Dependent claims 2 - 5 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC with respect to inventive step, the reasons being as follows: the additional features *wherein the resource manifest file is specified (as of claim 2), wherein the resource manifest file is not specified and a default resource manifest file is used (as of claim 3), wherein the resource manifest file is an Extensible Markup Language (XML) based declarative file (as of claim 4), wherein the localizable resource information resides in a compacted resource file (as of claim 5)* are all normal design options for the person skilled in the art of generating localized applications.

### 3.3 Claim 6

Claim 6 defines a computer-readable medium containing instructions for performing the method of claim 1. As discussed above, the subject-matter of the method of claim 1 is not inventive. Implementing the steps of the method of claim 1 with instructions and comprising these instructions on a computer-readable medium (as of claim 6) is straightforward and cannot be considered as involving an inventive step (Articles 52(1) and 56 EPC).

### 3.4 Claims 7 - 15

Claim 7 and its dependent claims 8 - 15 appear to merely describe a data structure apparently supporting the generation of localized software applications. The mere representation of a supporting data structure is usual for the person skilled in the art of generating localized software applications. Therefore, claims 7 - 15 cannot be considered as involving an inventive step (Articles 52(1) and 56 EPC).

Datum  
Date 10.10.2008  
Date

Blatt  
Sheet 5  
Feuille

Anmelde-Nr.:  
Application No.: 04 019 595.0  
Demande n°:

#### 4. Additional Remarks

4.1 As it is not at present apparent which part of the application could serve as a basis for an allowable claim, refusal of the application (Article 97(2) EPC) is to be expected. Should the applicant nevertheless regard some particular matter as patentable, independent claims could be submitted taking into account i.a. Rule 43 EPC. The applicant should also indicate in the letter of the reply: (i) the difference of the subject-matter of any new claim vis-à-vis the state of the art (documents D2, D3 and D4) and the technical significance thereof, (ii) the technical problem solved by this difference, (iii) how this technical problem is solved in a non-obvious manner by the features of all independent claims.

4.2 The applicant is reminded of Rule 137(3) with regard to any amendment.

4.3 If submitting amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

4.4 In order to facilitate the examination of the conformity of any amendments with the requirements of Article 123(2) EPC, the applicant is requested to clearly identify the amendments carried out, irrespective of whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based. These indications should be submitted on a marked-up copy of the relevant parts of the application as filed.

4.5 If the applicant so wishes, an appealable decision on the file as it stands may be requested in written form. Such a decision is given in standard form, referring to the previous communications including objections to which the applicant has had opportunity to comment and to the request, which must be made in writing (see Guidelines C-VI, 4.5 and E-X, 4.4). In the event of timely request and issuance of such a decision, the oral proceedings would no longer take place.

Matthias Weidmann  
First examiner

Marc Dieben  
Second examiner

Eugenio Archontopoulos  
Chairman